

August 17, 2004 CPC



STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

04SN0309

Yorkshire LLC

Clover Hill Magisterial District  
Davis Elementary, Providence Middle and James River High  
School Attendance Zones  
8321 Elkhardt Road

REQUEST: Rezoning from Agricultural (A) to Residential (R-12).

PROPOSED LAND USE:

A single family residential subdivision with a minimum lot size of 12,000 square feet is planned. A maximum density of 3.63 units per acre is permitted within the Residential (R-12) District resulting in a maximum of four (4) lots which may be developed on the property. The average actual number of lots recorded in Residential (R-12) Districts between 2000 and 2002 was 1.86 units per acre.

RECOMMENDATION

Recommend approval, subject to the applicant fully addressing the impacts of this development on capital facilities, for the following reasons:

- A. The proposed zoning and land use conform to the Northern Area Plan which suggests the property is appropriate for residential use of 1.51 to 4.0 units per acre.
- B. The proposed zoning and land use are representative of existing and anticipated development.
- C. The proffered conditions do not adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the need for roads, schools, parks, libraries and

fire stations is identified in the County's adopted Public Facilities Plan, the Thoroughfare Plan and Capital Improvement Program and the impact of this development is discussed herein. The proffered conditions do not adequately mitigate the impact on capital facilities in accordance with the Board of Supervisors' Policy, thereby insuring adequate service levels are maintained as necessary to protect the health, safety and welfare of County citizens.

- (NOTES:     A.     THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER MAY PROFFER OTHER CONDITIONS.
- B.     IT SHOULD BE NOTED THAT THE REVISED AND ADDITIONAL PROFFERED CONDITIONS WERE NOT SUBMITTED AT LEAST THIRTY (30) DAYS PRIOR TO THE COMMISSION'S PUBLIC HEARING PER THE "SUGGESTED PRACTICES AND PROCEDURES". THE "PROCEDURES" SUGGEST THAT THE CASE SHOULD BE DEFERRED IF REPRESENTATIVES FROM THE AFFECTED NEIGHBORHOOD(S), STAFF AND THE COMMISSIONERS HAVE NOT HAD SUFFICIENT TIME TO EVALUATE THE AMENDMENTS. STAFF HAS HAD AN OPPORTUNITY TO THOROUGHLY REVIEW THE REVISED PROFFERS.)

#### PROFFERED CONDITIONS

1.     Public wastewater shall be used. (U)
2.     The applicant, subdivider, or assignee(s) shall pay the following, for infrastructure improvements within the service district for the property, to the county of Chesterfield prior to the issuance of building permit:
  - A.     \$9,000.00 per dwelling unit, if paid prior to July 1, 2005; or
  - B.     The amount approved by the Board of Supervisors not to exceed \$9,000.00 per dwelling unit adjusted upward by any increase in the Marshall and Swift building cost index between July 1, 2004, and July 1 of the fiscal year in which the payment is made if paid after June 30, 2005.
  - C.     In the event the cash payment is not used for which proffered within 15 years of receipt, the cash shall be returned in full to the payor. (B&M)
3.     Except for timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices installed. (EE)

4. All exposed portions of the foundation of each dwelling unit shall be faced with brick or stone veneer. Exposed piers supporting front porches shall be faced with brick or stone veneer. (P)
5. Prior to any site plan approval, thirty-five (35) feet of right of way on the south side of Elkhardt Road, measured from the centerline as approved by the Transportation Department, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)
6. All dwelling units shall have a minimum gross floor area of 1800 square feet. (P)
7. There shall be no direct access from this property to Elkhardt Road. (T)

### GENERAL INFORMATION

#### Location:

Southeast quadrant of Elkhardt Road and Twilight Lane and known as 8321 Elkhardt Road.  
Tax ID 758-700-3539 (Sheet 7).

#### Existing Zoning:

A

#### Size:

1.3 acres

#### Existing Land Use:

Single family residential

#### Adjacent Zoning and Land Use:

North and West- A; Single family residential or vacant  
South - R-7 and R-9; Single family residential or vacant  
East - A and R-9; Single family residential or vacant

### UTILITIES

#### Public Water System:

There are two (2) public water lines adjacent to the request site. A sixteen (16) inch water line extends along the west side of Twilight Lane opposite this site. In addition, a twelve

(12) inch water line extends along Elkhardt Road adjacent to this site. Use of the public water system is required by County Code.

Public Wastewater System:

An existing eight (8) inch wastewater collector line extends along Twilight Lane and terminates approximately 150 feet northeast of Middle Road. An extension of approximately 730 feet will be required to serve the request site. Use of the public wastewater system is intended and has been proffered. (Proffered Condition 1)

ENVIRONMENTAL

Drainage and Erosion:

The property drains south to Pocoshock Creek and then to Falling Creek. The property is wooded and should not be timbered without first obtaining a land disturbance permit from the Environmental Engineering Department. This will insure that adequate erosion control measures are in place prior to any land disturbance as a result of timbering. (Proffered Condition 3)

PUBLIC FACILITIES

The need for schools, parks, libraries, fire stations and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program and further detailed by specific departments in the applicable section of this "Request Analysis". This development will have an impact on these facilities.

Fire Service:

The Public Facilities Plan indicates that fire and emergency medical service (EMS) calls are expected to increase forty-four (44) to seventy-eight (78) percent by 2022. Six (6) new fire/rescue stations are recommended for construction by 2022 in the Plan. In addition to the six (6) new stations, the Plan also recommends the expansion of five (5) existing stations. Based on two (2) dwelling units, this request will generate approximately one (1) call for fire and emergency medical service each year. The applicant has not adequately addressed the impact on fire and EMS. (Proffered Condition 2)

The Buford Road Fire Station, Company Number 9, and Forest View Volunteer Rescue Squad currently provide fire protection and emergency medical service. When the property is developed, the number of hydrants, quantity of water needed for fire protection and access requirements will be evaluated during the plans review process.

### Schools:

Approximately one (1) student will be generated by this development. This site lies in the Davis Elementary School attendance zone: capacity – 720, enrollment – 644; Providence Middle School zone: capacity – 1,166, enrollment – 1,066; and James River High School zone: capacity – 1,988, enrollment – 1,841.

The applicant has not adequately addressed the impact on schools. (Proffered Condition 2)

### Libraries:

Consistent with the Board of Supervisors' policy, the impact of development on library services is assessed countywide. Based on projected population growth, the Public Facilities Plan identifies a need for additional library space throughout the County. Development in this area of the county could affect the existing Bon Air Library or the existing La Prade Library or a proposed new library in the Reams Gordon Area. The Plan identifies a need for additional library space in this area of the county. The applicant has not fully addressed the impact of this development on libraries. (Proffered Condition 2)

### Parks and Recreation:

The Public Facilities Plan identifies the need for three (3) new regional parks, seven (7) community parks, twenty-nine (29) neighborhood parks, and five (5) community center by 2020. In addition, the Plan identifies the need for ten (10) new or expanded special purpose parks to provide water access or preserve and interpret unique recreational, cultural or environmental resources. The Plan also identifies shortfalls in trails and recreational historic sites. The applicant has not fully addressed impact of this proposed development on Parks and Recreation facilities. (Proffered Condition 2)

### Transportation:

The property, 1.3 acres, is currently zoned Agricultural (A) and is located at the Elkhardt Road/Twilight Lane intersection. The applicant is requesting rezoning from A to Residential (R-12). Based on single family trip rates, development could generate approximately forty (40) average daily trips. These vehicles will be initially distributed along Twilight Lane to Elkhardt Road, which had a 2002 traffic count of 5,214 vehicles per day.

The Thoroughfare Plan identifies Elkhardt Road as a collector with a recommended right of way width of seventy (70) feet. The applicant has proffered to dedicate thirty-five (35) feet of right of way measured from the centerline of Elkhardt Road in accordance with that Plan. (Proffered Condition 5)

Access to collectors, such as Elkhardt Road, should be controlled. The applicant has proffered that no direct access will be provided from the property to Elkhardt Road (Proffered Condition 7). Access to the property should be provided from Twilight Lane.

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. There are no public road improvement projects in this area currently included in the Six-Year Improvement Plan. Elkhardt Road will be directly impacted by development of this property. Sections of Elkhardt Road are twenty (20) feet wide with no shoulders. The capacity of this road is acceptable (Level of Service D) for the volume of traffic it currently carries. The standard typical section for this type of roadway should be twenty-four (24) feet wide with eight (8) foot shoulders. The applicant has proffered to contribute some cash towards mitigating the traffic impact of this proposed residential development (Proffered Condition 2). This amount is not consistent with the Board of Supervisors' Policy; therefore, the Transportation Department cannot support this request.

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	2*	1.00
Population Increase	5.44	2.72
Number of New Students		
Elementary	.45	0.23
Middle	.25	0.13
High	.32	0.16
TOTAL	1.02	0.51
Net Cost for Schools	11,064	5,532
Net Cost for Parks	1,578	789
Net Cost for Libraries	808	404
Net Cost for Fire Stations	850	425
Average Net Cost for Roads	8,798	4,399
TOTAL NET COST	23,098	11,549

\*Based on an average actual yield of 1.86 units per acre. Actual number of units and corresponding impact may vary.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries and fire stations at \$11,549 per unit. The applicant has been advised that a maximum proffer of \$11,500 per unit would defray the cost of the capital facilities necessitated by this proposed development.

The applicant has offered cash in the amount of \$9,000 per unit to assist in defraying the cost of this proposed zoning on such capital facilities (Proffered Condition 2). Accordingly, the County's ability

to provide adequate public facilities to its citizens will be adversely impacted. Staff has reviewed this case in a manner consistent with the Board's policy in respect to the recently adopted new maximum cash proffers. This case was not in front of the Commission prior to the change in the maximum cash proffer and therefore has been evaluated using the newly adopted fiscal impact figures.

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case. The Planning Commission and the Board of Supervisors, through their consideration of this request, may determine that there are unique circumstances relative to this case that may justify acceptance of proffers below the value of the maximum acceptable amount.

## LAND USE

### Comprehensive Plan:

Lies within the boundaries of the Northern Area Plan which suggests the property is appropriate for medium density residential use of 1.51 to 4.0 dwelling units per acre.

### Area Development Trends:

Area properties are zoned residentially and agriculturally and are occupied by single family residences or are vacant. It is anticipated that single family residential zoning and land use patterns will continue in the area as suggested by the Plan.

### House Sizes and Treatment:

To address concerns of the Clover Hill District Commissioner, Proffered Conditions address minimum house sizes and foundation treatment. (Proffered Conditions 4 and 6)

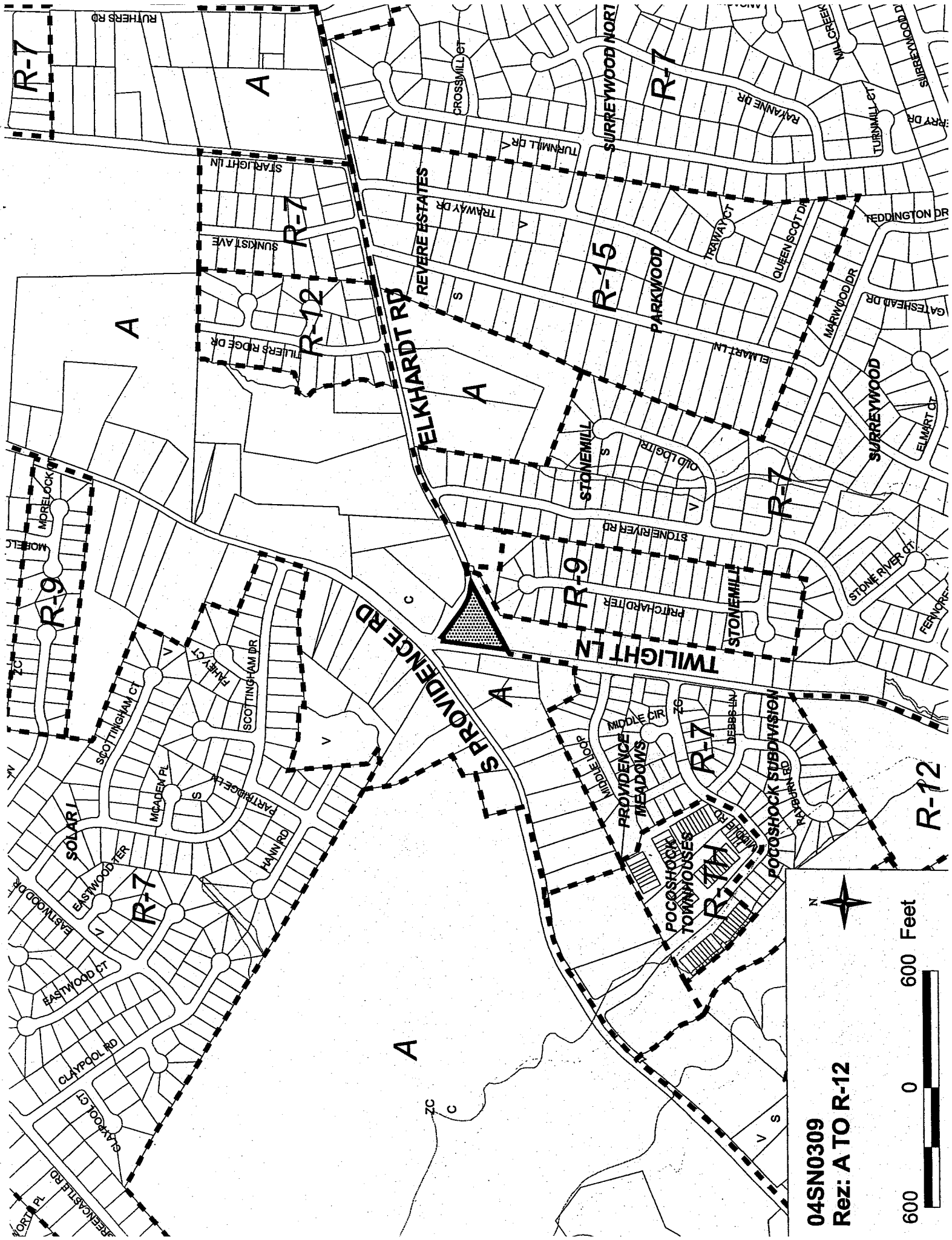
## CONCLUSIONS

The proposed zoning and land use conform to the Northern Area Plan which suggests the property is appropriate for residential uses of 1.51 to 4.0 units per acre and is representative of existing and anticipated area development. The maximum density permitted in Residential (R-12) is 3.63 units per acre; the theoretical density is 3.05 units per acre; and the average actual lots recorded in Residential (R-12) between 2000 and 2002 was 1.86 units per acre.

The proffered conditions do not adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the need for transportation, schools, parks, libraries and fire stations is identified in the County's adopted Public Facilities Plan, the Thoroughfare Plan and Capital Improvement Program and the impact of this development is discussed herein. The proffered conditions do not adequately mitigate the impact on capital facilities in accordance with the Board of Supervisors' Policy, and thereby do not insure that adequate service levels are maintained as necessary to protect the health, safety and welfare of County citizens.

Given these considerations, approval of the request is recommended, subject to the applicant adequately addressing the impacts of this development on capital facilities.





04SN0309  
Rez: A TO R-12